

House Committee on Administration of Criminal Justice

Minutes of Meeting
2018 Regular Session
May 2, 2018

I. CALL TO ORDER

Representative Sherman Q. Mack, chairman of the House Committee on Administration of Criminal Justice, called the meeting to order at 9:08 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Sherman Q. Mack, chairman
Representative Tony Bacala
Representative John H. Bagneris
Representative Barbara W. Carpenter
Representative Royce Duplessis
Representative Stephen C. Dwight
Representative Randal L. Gaines
Representative Lowell C. "Chris" Hazel
Representative Valarie Hodges
Representative Frank A. Howard
Representative Edward C. "Ted" James, II
Representative C. Denise Marcelle
Representative Joseph A. Marino, III
Representative Nicholas Muscarello, Jr.
Representative Barbara M. Norton
Representative Steve E. Pylant, vice chairman
Representative John M. Stefanski

MEMBERS ABSENT:

Representative Raymond J. Crews

STAFF MEMBERS PRESENT:

Kelly C. Fogleman, attorney
Katie LeLeux, attorney
Alicia Spivey, secretary

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms
Angela McKnight, sergeant at arms
Jordan Zeringue, clerk
Madeleine Murphy, clerk

III. DISCUSSION OF LEGISLATION

Senate Bill No. 181 by Senator Milkovich

Senator Milkovich presented Senate Bill No. 181, which prohibits abortions later than fifteen weeks after conception.

Richard Mahoney, 1831 Old Plantation Lane, Baton Rouge, LA 70806, (225) 438-1139, spoke in support of Senate Bill No. 181.

Mike Bourgeois, 537 Myrtle Hill Drive, Baton Rouge, LA 70810, (225) 767-7875, spoke in support of Senate Bill No. 181.

Wayne Gravios, 1215 Mills Pointe, Zachary, LA 70791, (225) 654-7823, spoke in support of Senate Bill No. 181.

Ben Clapper, Louisiana Right to Life, 200 Robert E. Lee Boulevard, New Orleans, LA 70124, (504) 228-4273, spoke in support of Senate Bill No. 181.

Anna Kuan-Celarier, MD, 1542 Tulane Avenue, New Orleans, LA 70112, (504) 323-7587, spoke in opposition to Senate Bill No. 181.

Ellie Schilling, 909 Poydras Street, New Orleans, LA 70112, (504) 680-6050, spoke in opposition to Senate Bill No. 181.

Lakeesha Harris, Women With A Vision, New Orleans, LA 70119, no number provided, spoke in opposition to Senate Bill No. 181.

Amy Irvin, New Orleans Abortion Fund, no address or phone number provided, spoke in opposition to Senate Bill No. 181.

Angela Adkins, Delta Clinic of Baton Rouge, 14620 Richardson Drive, Baton Rouge, LA 70739, (225) 324-0094, spoke in opposition to Senate Bill No. 181.

Representative Marino offered an amendment to provide that proposed law will become effective upon final decision of the U.S. Court of Appeals for the Fifth Circuit upholding the Act that originated as House Bill 1510 of the 2018 Regular Session of the Mississippi Legislature. Representative Marino offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hazel, Hodges, Howard, James, Marcelle, Marino, Muscarello, Norton, and Pylant voted yea.

Representative Pylant offered a motion to report Senate Bill No. 181 with amendments, to which Representative Carpenter objected. The secretary called the roll, and Senate Bill No. 181 was reported with amendments by a vote of 9 yeas and 8 nays. Representatives Mack, Bacala, Dwight, Hazel, Hodges, Howard, Muscarello, Pylant, and Stefanski voted yea. Representatives Bagneris, Carpenter, Duplessis, Gaines, James, Marcelle, Marino, and Norton voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 4 in opposition. Witness cards are included in the committee records.

Senate Bill No. 76 by Senator Boudreaux

Senator Boudreaux presented Senate Bill No. 76, which provides relative to controlled dangerous substances in a hospital.

Representative Bacala offered a motion to report Senate Bill No. 76 favorably. Without objection, Senate Bill No. 76 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Duplessis, Dwight, Gaines, Hazel, Hodges, Howard, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

Senate Bill No. 458 by Senator Gatti

Senator Gatti presented Senate Bill No. 458, which prohibits medical treatment furlough to any offender serving a sentence for a conviction of first degree murder.

Dennis Bamburg, Sr., 255 Eagle Ridge Drive, Haughton, LA 71037, (318) 747-0449, spoke in support of Senate Bill No. 458.

Margie Bamburg, 255 Eagle Ridge Drive, Haughton, LA 71037, (318) 573-2674, spoke in support of Senate Bill No. 458.

Angel Salter, 215 Eagle Ridge Drive, Haughton, LA, 71037, (318) 572-8347, spoke in support of Senate Bill No. 458.

Daniel Langen, 215 Eagle Ridge Drive, Haughton, LA, 71037, (318) 573-2245, spoke in support of Senate Bill No. 458.

Will Harrell, VOTE, 1221 Kerlerec Street, New Orleans, LA 70116, (512) 695-7519, spoke in opposition to Senate Bill No. 458.

Natalie LaBorde, Department of Public Safety and Corrections, 504 Mayflower Street, Baton Rouge, LA 70802, (337) 654-6718, spoke for information only on Senate Bill No. 458.

Representative Mack offered a motion to report Senate Bill No. 458 favorably. Without objection, Senate Bill No. 458 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, and Pylant voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 3 in opposition. Witness cards are included in the committee records.

Senate Bill No. 410 by Senator White

Senator White presented Senate Bill No. 410, which provides relative to early release of offenders for "good time" and parole.

Natalie LaBorde, Department of Public Safety and Corrections, 504 Mayflower Street, Baton Rouge, LA 70802, (337) 654-5718, spoke for information only on Senate Bill No. 410.

Representative Marcelle offered a motion to report Senate Bill No. 410 favorably. Without objection, Senate Bill No. 410 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hazel, Hodges, Howard, Marcelle, Marino, Muscarello, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in opposition. Witness cards are included in the committee records.

Senate Bill No. 316 by Senator Johns

Senator Johns presented Senate Bill No. 316, which provides relative to riverboat gaming.

Wade Duty, Louisiana Casino Association, P. O. Box 3801, Baton Rouge, LA 70821, (225) 344-0037, spoke in support of Senate Bill No. 316.

Gene Mills, Louisiana Family Forum, 655 St. Ferdinand Street, Baton Rouge, LA 70802, (225) 344-8533, spoke in opposition to Senate Bill No. 316.

Representative Norton offered a motion to report Senate Bill No. 316 favorably, to which Representative Bacala objected. The secretary called the roll, and Senate Bill No. 316 was reported favorably by a vote of 10 yeas, 4 nays, and 1 abstention. Representatives Bagneris, Carpenter, Duplessis, Dwight, Gaines, Howard, Marcelle, Marino, Norton, and Stefanski voted yea. Representatives Bacala, Hodges, Muscarello, and Pylant voted nay. Representative Mack abstained.

Witness cards submitted by individuals who did not speak are as follows: 17 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

Senate Bill No. 563 by Senator Walsworth

Senator Walsworth presented Senate Bill No. 563, which provides relative to the penalty for cruelty to a juvenile.

Representative Bacala offered a motion to report Senate Bill No. 563 favorably. Without objection, Senate Bill No. 563 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

Senate Bill No. 525 by Senator LaFleur

On behalf of Senator LaFleur, Representative Dwight presented Senate Bill No. 525, which provides relative to the transfer of purse funds from one horse racing facility to another.

Representative Gaines offered an amendment to add an effective date upon signature of governor or lapse of time for gubernatorial action. Representative Gaines offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

Representative Stefanski offered a motion to report Senate Bill No. 525 with amendments. Without objection, Senate Bill No. 525 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

Senate Bill No. 389 by Senator Claitor

Senator Claitor presented Senate Bill No. 389, which provides relative to felony probation.

Representative Mack offered amendments to:

- (1) Amend the procedures provided in proposed law relative to the reducing of an order of restitution to a civil money judgment.
- (2) Provide that the provisions of proposed law relative to the reducing of an order of restitution to a civil money judgment and the prohibition on revoking or extending probation solely based on a defendant's inability to pay fines, fees, or restitution shall become effective on August 1, 2019.

Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Gaines, Hodges, Howard, Marino, Muscarello, Norton, Pylant, and Stefanski voted yea.

Bob Morrison, Louisiana District Judges Association, P. O. Box 788, Amite, LA 70422, (985) 748-9445, spoke for information only on Senate Bill No. 389.

Will Harrell, VOTE, 1221 Kerlerec Street, New Orleans, LA 70116, (512) 691-7519, spoke in opposition to Senate Bill No. 389.

Checo Yancy, VOTE, 2022 St. Bernard Avenue, New Orleans, LA 70116, (225) 270-5245, spoke in opposition to Senate Bill No. 389.

John Burkhart, Southern Poverty Law Center, 201 St. Charles Avenue, Suite 2000, New Orleans, LA 70170, (504) 526-1540, spoke for information only on Senate Bill No. 389.

Representative Norton offered a motion to report Senate Bill No. 389 with amendments. Without objection, Senate Bill No. 389 was reported with amendments by a vote of 12 yeas and 0 nays.

Representatives Mack, Bacala, Bagneris, Carpenter, Duplessis, Dwight, Hodges, Howard, Marino, Muscarello, Norton, and Pylant voted yea.

Witness cards submitted by individuals who did not speak are as follows: 13 in support, 3 in opposition, and 2 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Respectfully submitted,

Chairman Sherman Q. Mack
House Committee on Administration of Criminal Justice

Date adopted: